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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,603	05/03/2001	Peter Hierholzer	1454.I060	7186
21171	7590	11/01/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LEE, CHI HO A	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/847,603	HIERHOLZER ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Andrew Lee	2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 15 September 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-13 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-13 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/16/05.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Ebata et al U.S. Patent Number 6,708,209.

Re Claim 1, fig. 4 teaches a table associating the address ranges for different organizations i.e., organization A is associated with 172.16.12.1/24 and organization B is associated with 172.16.13.1/24 (*associated information relating to address ranges of the sub-regions*) stored in Policy Server (a resource manager) of fig. 5 (See col. 4, lines 50-62) wherein each Policy Server (PS) includes a Network Path Information DB 305a (*routes through the sub-regions, each from a source sub-regions to a destination sub-regions*) and fig. 6 further teaches a table sections (f) & (g) the allocated resources between the organizations (*the transmission system resources between the subregions*) (See col. 5, lines 3-64 also see col. 6, lines 1-22) wherein the table does not include resources within the organization; fig. 17 teaches a message format that when a connection is initialized, the format includes Band Upper limit for Reservation 50504 & Band Upper Limit for Immediate 50505 (*signaling a requested*

scope of resources) and sources and destination addresses (See col. 12, lines 1-25), in particular fig. 19, step 514 & 306 teaches the processing of the signaling message at the PS, in step 514 Search for Network Path (*ascertaining...route through the network*), wherein the Operation Policy Search/Update Unit 302 verifies the resources allocation request by searching the policy database to determine whether the request (*in consideration of the requested scope of resources*) meets the requirements (*authorized*) associated with requested resources and path wherein and when the resources allocation request preprocessing unit (Step 306 ), fig. 21 initiates the inter-organization resource allocation unit 310 that determines a secure resource allocation between organizations (*the transmission system resources between the subregions of the route*) (See col. 14, lines 44-65) but not within the subregions of the route.

Re Claim 2, refer to Claim 1, fig. 19, step 310 reserves the resources between organizations after the path have been determine in step 514.

Re Claim 3, refer to Claim 1, fig. 4 teaches the Organization A further divided in BR region (subdivided into further sub-regions) and fig. 6 teaches the inter-organization resources policy table (allocating to each further sub-regions) and fig. 8 teaches the intra-organization policy table (at least one path between the sub-regions).

Re Claims 4, 5, refer to Claim 1, wherein fig. 4 supports Internet and IP address ranges.

Re Claim 6, refer to Claim 1, fig. 4 teaches Organization ID (an item of information) wherein the organization can be either source or destination sub-regions; Border Router Name (information relating to the sub-regions situated between the

subregions) are situated between organizations; Organization Management Table of fig. 5 (information relating to the connection paths).

Re Claims 7, 12, 13, refer to Claim 1, wherein the Resources allocation Schedule DB indicates the resources are subdivided into partial resources for a specific service requests, and fig. 19, step 501 determines whether the request meets the user requirements for the prescribe policy based on priority (a specific service & QoS) and permitted Band (at least one partial resource).

Re Claims 8, 10, 11, refer to Claim 1, fig. 19, step 516, Resource Allocation Decision is based on the a sum of the allocated resources and the prescribe resource policy table.

Re Claim 9, refer to Claim 1, fig. 23, step 516, signaling an authorization and non-authorization to a terminal.

### ***Response to Arguments***

3. Applicant's arguments filed 9/15/05 have been fully considered but they are not persuasive.

Re Claim 1, Applicant argues, "a method that one performs "inter-organization resources allocation when necessary". Examiner agrees. However, Applicant is directed to the request 108a of fig. 19. As shown, the Request A and Destination B are within the same organization or sub-region, hence "No" inter-organization resources allocation is necessary. However, when the Request A request a destination outside its organization, Inter-organization resource allocation is necessary. Determining the inter-organization resource allocation assures the QoS between the organizations.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 571-272-3130. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANDY LEE  
PATENT EXAMINER

AI  
10/28/05

